

Remarks

Claims 1-12 are pending.

Objections to the Specification

The Specification has been amended to correct the informalities noted by the Office at page 2 of the pending Action

Rejections Under Sections 102 and 103

Claims 1-3, 5-7 and 9-11 were rejected under Section 102 as being anticipated by Lubawy (6353479). Claims 4, 8 and 12 were rejected under Section 103 as being obvious over Lubawy in view of Blackman (6029020). The rejections are based on the assertion that Lubawy teaches reading data indicating an orientation of the sheet in the imaging device. This assertion is not correct.

The Office cites to Lubawy column 4, lines 28-45 as teaching reading data indicating an orientation of the sheet in the imaging device. This passage in Lubawy is quoted verbatim below.

"In accordance with a preferred embodiment of the present invention, information relating to the type of print media 24 is encoded onto each sheet of the media 24 as a machine-readable bar code 40. The bar code 40 may be of conventional design whereby alternating portions of reflective and non-reflective strips are sized (thick or thin) typically to represent a string of "1"s and "0"s, a binary code. The binary code could alternatively be derived from merely detecting the presence or absence of bars along the length of the code.

In a preferred embodiment, the bar code data contains twelve bits of information related to the type of media that carries the code, as described more fully below. Any type of bar code will suffice, but in the preferred embodiment, it is required that the bar code information be applied to media with ink or other marking fluid that is invisible to the naked eye (the code 40 appearing in the drawing for illustrative purposes)."

There is nothing in this passage (or anywhere else in Lubawy) that teaches or suggests anything about the orientation of the sheet in the imaging device. More specifically, there is no teaching or suggestion that the printer reads data indicating the orientation of the sheet in the imaging device. Lubawy teaches only a bar code with "information relating to the type of print media...." If the Office disagrees, it is

respectfully requested to specifically point out and explain the language in Lubawy that teaches that the imaging device reads data indicating the orientation of the sheet in the printer. Absent such a showing, the rejections should be withdrawn.

Further with regard to Claims 4, 8 and 12, the subject matter claimed in Lubawy and in this pending Application was owned by Hewlett Packard Co. at the time the inventions were made and is now owned by Hewlett Packard Development Co., as evidenced on the face of the Lubawy patent and by the assignments recorded on October 17, 2001, September 30, 2003 and January 11, 2005 at reel/frame 012274/0983, 015583/0106 and 014061/0492, respectively. Hence, Lubawy cannot be used as a prior art reference under Section 103. 35 U.S.C. § 103(c). In addition, neither Lubawy nor Blackman teach or suggest that the orientation indication identifies which edge of the sheet is being read by the imaging device. The Office has made no specific assertion to the contrary – the Office does not address this limitation in its remarks. The rejection of Claims 4, 8 and 12 should be withdrawn for these additional reasons.

The foregoing is believed to be a complete response to the outstanding Office Action.

Respectfully submitted,



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